

## HOUSE BILL NO. 251

INTRODUCED BY C. HARRIS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A MORATORIUM ON THE ISSUANCE OF A PERMIT THAT COULD REASONABLY CAUSE PERMANENT AND SUBSTANTIAL DEGRADATION OF THE GALLATIN RIVER; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, the Gallatin River was named by Meriwether Lewis and William Clark for United States Secretary of the Treasury Albert Gallatin, who arranged for the financing of the Louisiana Purchase; and

WHEREAS, the Gallatin River significantly contributes to strong farm and ranch, recreation, movie, real estate, tourism, and other industries in the region, contributing \$7.5 million in recreation revenue in 1995 alone; and

WHEREAS, the Gallatin River is revered by fly-fishing anglers for its blue ribbon trout fishery and by whitewater enthusiasts challenged by its class four waters; and

WHEREAS, the Gallatin River remains one of Montana's few high-quality headwaters streams and needs special protection to maintain the quality of its water; and

WHEREAS, many local businesses, ranches, and landowners realize the need to protect the Gallatin River for their personal well-being and the health of their economic livelihoods; and

WHEREAS, the Gallatin County Commissioners and the City of Bozeman support the process to list the Gallatin River as an outstanding resource water.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Moratorium on issuance of permit.** The department may not issue a permit that could reasonably cause permanent, substantial degradation of the Gallatin River between the Yellowstone national park boundary and the Gallatin River's intersection with Spanish Creek.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 75, chapter 5, and the provisions of Title 75, chapter 5, apply to [section 1].

1        NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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3        NEW SECTION. **Section 4. Termination.** [This act] terminates on the date that the director of the  
4 department of environmental quality certifies to the governor that an environmental impact statement has been  
5 completed in response to the petition filed in March 2002 concerning the water quality of the Gallatin River. The  
6 director shall notify the code commissioner of the date that certification is made to the governor.

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